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FOR G/TIP, EAP/RSP

E.O. 12958: N/A
TAGS: [ASEC](#) [ELAB](#) [KCRM](#) [KFRD](#) [KWMN](#) [PHUM](#) [PREF](#) [SMIG](#)
SUBJECT: TAIWAN NGO RECOMMENDATIONS TO COMBAT TIP

REF: TAIPEI 0642

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¶1. Summary: AIT held a roundtable with local NGOs on 1 March to discuss labor and foreign bride trafficking highlighted in the 2006 Taiwan TIP report (reftel). The NGOs stated Taiwan needs to pass a comprehensive TIP law for victims, address broker/domestic caretaker abuses, and institute better screening/protection procedures for foreign brides. AIT will meet with Council of Labor Affairs (CLA) officials to elicit the government's response to the NGO's complaints and plans for addressing TIP. End summary.

¶2. Seven representatives from four NGOs attended the roundtable:

Stella Maris International Service Center; Bruno Ciceri
Hope Workers Center; Allison Lee, Akraporn Bunchongsilp
Taiwan International Workers Association; Jinru Wu
Vietnamese Migrant Workers and Brides Office; Peter Nguyen,
Nguyen Cuong, My-Nga Le

Comprehensive TIP Law Needed

¶3. The NGO reps argued that Taiwan needs a comprehensive anti-trafficking law. All of the NGOs present agreed that trafficked foreign workers and brides have few rights under existing Taiwan law. They noted that workers and brides often run away because of harsh working conditions and abuses, but authorities do little because the victims' status is deemed illegal once they run away. Thus, the NGOs told AIT, many victims do not report abuses to the authorities because they fear they will be deported or jailed. They added that foreign brides face similar consequences if their marriages are determined to be false, even if the brides have been abused or tricked. The NGOs told AIT that TIP legislation would ensure victims have basic protection and not simply be punished when they report abuses.

Scrutinize Broker and Caretaker Abuses

¶ 14. The NGOs told AIT that the government has done little to address the problem of broker abuses. While the CLA has taken some measures to educate workers and establish government resources, the NGOs said many brokers prevent workers from receiving this information. The NGOs argue that the government should focus on educating brokers and cracking down on broker abuses. The CLA, they continued, should establish a database of brokers and prohibit brokers who violate the law from importing workers. The government routinely checks the background of workers, but does nothing to check the background of, or previous record of abuses by labor brokers. Furthermore, the CLA does little to assist workers if they have signed a contract, even if their contracts are fraudulent or signed under duress.

¶ 15. Caretakers are another source of TIP abuse, since about half of foreign workers in Taiwan are domestic employees. The NGOs contend that many domestic workers are victims of sexual harassment and abuse and must endure this treatment or face immediate deportation. Many clients have a history of abusing caretakers and the NGOs want the government to document these abusers in a database and crack down on abusive households. Moreover, the NGOs pointed out domestic workers are not covered by Taiwan labor standards laws, such as the minimum wage and time off from work. The NGOs have drafted a "Household Services Act" to solve this problem, but they claim the CLA has been unresponsive to the proposed legislation.

Better Screening for Foreign Brides

¶ 16. The NGOs told AIT that Taiwan must do more to identify
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trafficked brides when they register with authorities upon arrival in Taiwan. Taiwan requires newly arrived brides to undergo health screening and register with local police. NGOs suggested that more police should be trained in identifying and recognizing TIP cases, enabling them to spot TIP cases in which women are visibly scared, and threatened not to leave their husband's side at police stations. The NGOs maintain that the brides should be separated during the registration process so they can safely report abuses or inform police of their situation. NGOs explained that this initial registration process is a critical time and many victims could be identified and rescued.

¶ 17. The NGOs also told AIT that the government should maintain a database of husbands who marry foreign brides and perform a simple criminal background check. Many men have criminal records and have served as husbands multiple times since penalties for "sham" marriages are so lenient. The NGOs pointed to Australia in the 1980s, when many Filipina women married Australian men, many of whom were abusive. After the Australian government established a database and background check system, the problem was greatly reduced.
KEEGAN